REMARKS

Claims 3-10, 12, 13, 16-25 and 30-33 are pending in this application. Claims 3-10, 12, 13, 16-25 and 30-33 stand rejected. Reconsideration and further examination of the subject patent application in light of the present Amendment and Remarks is respectfully requested.

Rejections Under 35 U.S.C. §103

Claims 3-8, 25 and 30-31 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,155,162 to Doi et al., U.S. Pat. No. 7,103,344 to Menard and U.S. Pat. No. 6,002,669 to White and U.S. Pat. No. 5,151,693 to Onoe et al. Applicant respectfully traverses these rejections.

In response, independent claim 30 has been clarified by being further directed to the context "control circuitry coupled to the transceiver, the control circuitry and transceiver have, at least, an inactive mode interrupted by an intermittent, limited duration higher power active mode, the control circuitry including circuitry to monitor the port for receipt of a wireless synchronization signal, and responsive thereto to establish a predetermined time offset from the wireless synchronizing signal and only a receiver portion of the transceiver to enter the active mode at a time interval, corresponding to the offset, prior to receipt of subsequent wireless synchronizing signals and to receive other incoming signals with the control circuitry responding to an incoming signal requesting information by causing a transmitter portion of the transceiver to enter the active mode." The predetermined time offset from the synchronization signal is discussed in paragraph [0045] and is shown in FIG. 3 of the specification.

Claims 3-8 and 30-31 are now clearly differentiated over the combination of van Bokhorst et al. in view of Doi et al., Menard, White and Onoe et al. For example, the Office Action asserts that "Doi teaches establishing a time offset from the wireless synchronizing signal (col. 7: lines 30-47)" (Office Action of 12/9/09, page 4). However, Doi et al. uses time offsets for a different purpose than that of the claimed invention. In this regard, Doi et al. explicitly states that the "sync burst is a message transmitted via the allocated TCH for synchronizing the mobile station with . . . the wireless base station" (Doi et al., col. 7, lines 31-33). As those of skill in the art would understand, the greater the distance of the Doi et al. mobile station from the base station, the greater the required time offset. Since Doi et al. requires a variable time offset based upon distance between the mobile station and base station, Doi et al. teaches away from that of the claimed invention.

Moreover, there is another reason why the claimed invention differs from Doi et al. The other reason is because the claimed invention uses the predetermined offset to reduce collisions with other transceivers 14. In contrast, Doi et al. uses the variable offset to ensure that the transmissions from the mobile are synchronized with the traffic channel (TCH).

The Office Action asserts that "Onoe teaches checking whether the receiver signal is the same as the transmitted signal (abstract, col. 5; line 63-col. 6; line 27)" (Office Action of 12/7/09, page 6). However, once more, this is clearly different than the claimed invention. In this regard, Onoe explicitly states that "When the R/N information 38 indicates non-reception, or when the partial data 39 is not identical to the stored partial data, the transmitting circuit 13 is held in a waiting state for re-transmitting the data form the first burst" (Onoe et al., col. 6, lines 21-25). In contrast, claim 30 is directed to "transmitting requested information using at least one byte of information having a plurality of bits via the transceiver and where the control circuitry

simultaneously monitors signals received from the transceiver." Since Onoe et al. must first store and then evaluate the stored data, there is no transmitting and simultaneous monitoring under Onoe et al.

Moreover, claims 3-8 and 30-31 differ from the combination of van Bokhorst et al., Doi et al., Menard, White and Onoe et al. for other reasons. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Similarly, Menard uses a local Bluetooth connection to activate a receiver whereas claim 30 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to comparing transmitted and received bits and Onoe et al. to error checking.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits by wireless devices 14 as a means for determining priority.

In general, van Bokhorst et al., Doi et al., Menard, White and Onoe et al. and the combination of van Bokhorst et al., Doi et al., Menard, White and Onoe et al. fail to provide any teaching or suggestion of at least the above discussed claim features. For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Claims 16-19, 21, 24 and 32-33 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,103,344 to Menard

and U.S. Pat. No. 6,002,669 to White and U.S. Pat. No. 5,151,693 to Onoe et al. Applicant respectfully traverses these rejections.

In response, independent claim 32 has been further clarified by being further directed to "a transmitter portion of the transceiver entering the active mode, the transceiver receiving an information request and transmitting a response to the information request based upon its internal state condition." Independent claim 33 has been similarly clarified. The request for information and response based upon the internal state condition of a device 14 is discussed in paragraphs [0018] and [0040].

Independent claim 32 has also been further clarified to include "comparing each transmitted bit of the information response with a simultaneously received bit." The comparison of transmitted bits with simultaneously received bits is discussed in general throughout the specification (e.g., par. [0028], par. [0048], etc.) and is shown in FIG. 4.

Claims 16-19, 21, 24 and 32-33 are now clearly differentiated over the combination of van Bokhorst et al. in view of Menard, White and Onoe et al. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Menard uses a local Bluetooth connection to activate a receiver whereas claims 32 and 33 is directed to activation using an internal clock and a predetermined time offset. Similarly, White is directed to the transmission of a priority character rather than to detecting a received bit that is not the same as a transmitted bit. Onoe et al. is merely directed to error detection.

Moreover, the claimed invention offers a different functionality than that the combination. For example, White is directed to the use of a priority character. However, the transmission of a priority character consumes bandwidth that is not necessary under the claimed invention. In the case of the claimed invention, the devices 14 all transmit until one of the

devices transmits a zero thereby allowing detection of another unit, all without causing collisions or corruption of transmitted data.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits as a means for determining priority.

None of the cited references of van Bokhorst et al. in view of Menard, White and Onoe et al. or the combination of van Bokhorst et al. in view of Menard, White and Onoe et al. provide any teaching or suggestion, inter alia, of the steps of "comparing each transmitted bit of the information response with a simultaneously received bit; and terminating the transmission before completion of the byte upon detecting that the received signal is not the same as the transmitted signal." For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Claims 9 and 10 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,155,162 to Doi et al., U.S. Pat. No. 7,103,344 to Menard, U.S. Pat. No. 6,002,669 to White, U.S. Pat. No. 5,151,693 to Onoe et al. and U.S. Pat. No. 7,050,409 to O'Scolai. Applicant respectfully traverses these rejections.

It may be noted first that claim 9 and 10 are dependent upon claim 30 and include all of the limitations of Independent claim 30. It may be noted next that independent claim 30 has been further limited to "control circuitry . . . to establish a predetermined time offset . . . where the control circuitry simultaneously monitors signals received from the transceiver and by

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checking that the received signal is the same as the transmitted signal determines for each bit of the plurality of bits that a higher priority message is being received and responsive to that determination terminates the transmission before completion of the byte."

Claims 9 and 10 are now clearly differentiated over the combination of van Bokhorst et al. in view of Doi et al., Menard, White, Onoe et al. and O'Scolai. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Similarly, Doi et al. is directed to a variable time offset based upon distance whereas claim 30 is limited to a predetermined time offset. Menard uses a local Bluetooth connection to activate a receiver whereas claim 30 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to detecting a received bit that is not the same as a transmitted bit. Onoe et al. is directed to error checking and O'Scolai is directed to multi-frames.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits of wireless devices 14 as a means for determining priority.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

Claims 12, 13, 20, 22 and 23 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Pat. No. 6,192,230 to van Bokhorst et al. in view of U.S. Pat. No. 7,103,344 to

Menard, U.S. Pat. No. 6,002,669 to White, U.S. Pat. No. 5,151,693 to Onoe et al. and U.S. Pat. No. 7,050,409 to O'Scolai. Applicant respectfully traverses these rejections.

It may be noted first that claim 12 and 13 are dependent upon claim 32 and include all of the limitations of independent claim 32. It may be noted next that independent claim 32 is limited to "comparing each transmitted bit of the information response with a simultaneously received bit; and terminating the transmission before completion of the byte upon detecting that the received signal is not the same as the transmitted signal."

Claims 12, 13, 20, 22 and 23 are now clearly differentiated over the combination of van Bokhorst et al. in view Menard, White, Onoe et al. and O'Scolai. For example, van Bokhorst is merely directed to a system where both transmitter and receiver are deactivated at the same time. Menard uses a local Bluetooth connection to activate a receiver whereas claim 32 is directed to activation using an internal clock. Similarly, White is directed to the transmission of a priority character rather than to detecting a received bit that is not the same as a transmitted bit. Onoe et al. to error checking and O'Scolai is directed to multi-frames.

Moreover, the rejections appear to be based upon nothing more than hindsight reconstruction using the application as a template and information not available at the time of filing of the instant application. The information not available at the time of filing of the instant application involves the use of use of simultaneously transmitted bits as a means for determining priority.

For any of the above reasons, the combination fails to teach or suggest each and every claim limitation and/or uses hindsight reconstruction. As such, the rejections are improper and should be withdrawn.

<u>Closing Remarks</u>

For the foregoing reasons, applicant submits that the subject application is in condition for allowance and earnestly solicits an early Notice of Allowance. Should the Primary Examiner be of the opinion that a telephone conference would expedite prosecution of the subject application, the Primary Examiner is respectfully requested to call the undersigned at the below-listed number.

The Commissioner is hereby authorized to charge any additional fee which may be required for this application under 37 C.F.R. §§ 1.16-1.18, including but not limited to the issue fee, or credit any overpayment, to Deposit Account No. 23-0920. Should no proper amount be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the

unpaid amount to Deposit Account No. 23-0920. *(If filed by paper, a duplicate copy of this sheet(s) is enclosed).*

Respectfully submitted,

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